

Application No.: (10/735008)  
Docket No.: (CL2028USNA)

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**REMARKS**

Claims 1-16 are in the case. The claims have been made subject to a requirement to restrict. The Examiner finds 8 independent and distinct inventions. In relevant part the examiner finds that Claims 1-10, 14 and 16 (group 1) are drawn to a carotenoid overproducing microorganism comprising a disrupted *deaD* gene, classified in class 435, subclass 67.

Election of claims is required under 37 CFR 1.143.

Accordingly Applicants hereby elect Group 1 encompassing Claims 1-10, 14 and 16 with respect to disruptions in the *deaD* gene without traverse.

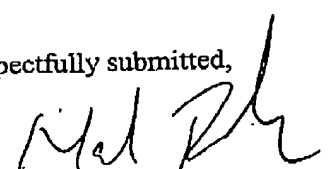
Claims not elected herein are withdrawn as drawn to a non-elected invention. The claims have been amended to remove non-elected subject matter.

The above Election of Claims does not alter the inventorship of the application.

Applicants reserve the right to file a divisional application to the non-elected matter. In making this election Applicants make no representations or admissions regarding the reasoning employed by the Examiner in support of the restriction.

Should there be any fee due in connection with the filing of this Response To Restriction Requirement please charge such fee to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

Respectfully submitted,



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